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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO**

ADAN ORTIZ, on behalf of himself and  
all others similarly situated,

*Plaintiff,*

vs.

RANDSTAD INHOUSE SERVICES,  
L.P., a Delaware Limited Partnership;  
and DOES 1-50, inclusive,

*Defendants.*

Case No. 13-cv-05050-MMC

**ORDER:**

- (1) PRELIMINARILY APPROVING  
PROPOSED SETTLEMENT;**
- (2) CONDITIONALLY  
CERTIFYING SETTLEMENT  
CLASS;**
- (3) APPOINTING CLASS  
REPRESENTATIVE, CLASS  
COUNSEL, AND CLAIMS  
ADMINISTRATOR;**
- (4) APPROVING NOTICE OF  
CLASS SETTLEMENT; AND**
- (5) SETTING HEARING FOR  
FINAL APPROVAL OF  
SETTLEMENT**

Hearing Date:  
May 13, 2016  
Time: 9:00am  
Courtroom: 7

1 On May 13, 2016, a hearing was held on the motion of Plaintiff Adan Ortiz  
2 (“Plaintiff”) for conditional certification of a settlement class, preliminary approval  
3 of the Parties’ proposed Settlement, approval of the Notice to be sent to the class  
4 about the Settlement and the forms of the Claim Form and Request for Exclusion  
5 Form; approval of Class Representative and Class Counsel; and the setting of a  
6 date for the hearing on final approval of the settlement.

7 The Court having read and considered the papers on the motion, the  
8 arguments of counsel, and the law; and good cause appearing therefor,

9 IT IS ORDERED:

10  
11 1. The proposed class defined in paragraph 4 of this Order meets the  
12 requirements for class certification for settlement purposes only under Rule 23(a)  
13 and 23(b)(3) of the Federal Rules of Civil Procedure.

14 2. The Parties’ Settlement Agreement (the “Settlement” or the  
15 “Agreement”) (Declaration of Shaun Setareh in Support of Motion for Preliminary  
16 Approval of Class Action Settlement Exh. A) is granted preliminary approval as it  
17 meets the criteria for preliminary settlement approval. The Settlement falls within  
18 the range of possible approval as fair, adequate, and reasonable, and appears to be  
19 the product of arms’ length and informed negotiations and to treat all Class  
20 Members fairly.

21 3. The parties’ proposed notice plan is constitutionally sound because  
22 individual notices will be mailed to all class members whose identities are known  
23 to the parties, notice will also be posted on a static website maintained by the  
24 Settlement Administrator and such notice is the best notice practicable. The  
25 Parties’ proposed Notice of Proposed Class Action Settlement (attached hereto as  
26 Exhibit A) is sufficient to inform Class Members of the terms of the Settlement,  
27 their rights under the Settlement, their rights to object to the Settlement, their rights  
28 to dispute their amount due under the Settlement, and their rights to elect not to

1 participate in the Settlement, the processes for doing so, and the date and location  
2 of the final approval hearing, and is therefore approved.

3 4. The following persons are certified as Class Members solely for the  
4 purpose of entering a settlement in this matter: “All non-exempt or hourly persons  
5 employed by Defendant Randstad InHouse Services, L.P. (“Defendant” or  
6 “Randstad”) in California who supply services to third party clients (as temporary  
7 placement employees and external talents) from October 29, 2009 to the date when  
8 the Court grants and enters the Preliminary Approval Order.”

9 5. Any Class Member who wishes to object to the Settlement has until  
10 August 26, 2016, to file with the Court his or her written Objection. Such  
11 objection shall include the name, address and telephone number of the objector,  
12 dates of employment and the basis for any objection and, if the objector is  
13 represented by counsel, the name and address of the objector’s counsel. No  
14 Settlement Class member may be heard at the final settlement hearing who has not  
15 complied with this requirement and any Final Settlement Class member who fails  
16 to comply with this requirement will be deemed to have waived any right to object  
17 to the settlement.

18 6. Plaintiff’s motion for attorney fees shall be filed and placed on the  
19 Claims Administrator's website no later than July 29, 2016.

20 7. Any Class Member who wishes to be excluded from the Settlement  
21 has until August 26, 2016, to do so.

22 8. Any Class Member who wishes to challenge their share of the  
23 settlement as calculated by the Settlement Administrator must timely send a  
24 written notice of the dispute to the Settlement Administrator. A dispute notice will  
25 be considered timely sent if postmarked no later than August 26, 2016.

26 9. Plaintiff Adan Ortiz is appointed the Class Representative. Shaun  
27 Setareh of the Setareh Law Group is appointed Class Counsel.

28 10. CPT Group is appointed as Claims Administrator.

11. The Class Notice will be disseminated according to the notice plan described in the Settlement and substantially in the form attached hereto as Exhibit A. Proof of distribution of Class Notice will be filed by the parties in conjunction with the motion for an order granting final approval of the Settlement. The motion for an order granting final approval of the Settlement shall be filed no later than September 9, 2016.

12. Randstad is directed to provide to the Claims Administrator not later than 20 business days after the date of this Order the full names, contact information, and other pertinent information for each Class Member, as specified by the Settlement.

13. The Claims Administrator is directed to mail the Class Notice by first-class mail to each Class Member not later than 15 business days after receipt of the Class List as specified by the Settlement.

14. Class members are not required to file claims in order to receive their share of the settlement. If the settlement is finally approved, all class members who did not timely request exclusion will be mailed their share of the settlement by the Claims Administrator.

15. A final approval hearing will be held on September 23, 2016, at 9:00 a.m., to determine whether the Settlement should be granted final approval as fair, reasonable, and adequate as to the Class Members. The Court will hear all evidence and argument necessary to evaluate the Settlement, and will consider Plaintiff and Class Counsel's request, made by separate motion, for the Class Representative Payments and Attorneys' Fees and Costs.

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16. The Court reserves the right to continue the date of the final approval hearing without further notice to Class Members. The Court retains jurisdiction to consider all further applications arising out of or in connection with the Settlement.

Dated: May 20, 2016

  
Hon. Maxine M. Chesney  
United States District Judge